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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/632,424	08/01/2003	Wade J. Walterscheid	12204/09902	4360

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EXAMINER

BOCHNA, DAVID

ART UNIT	PAPER NUMBER
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3679

DATE MAILED: 06/15/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/632,424

Applicant(s)

WALTERSCHEID ET AL.

Examiner

David E. Bochna

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-38 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 29-38 is/are allowed.
- 6) ☒ Claim(s) 1-13 and 16-26 is/are rejected.
- 7) ☒ Claim(s) 14, 15, 27 and 28 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

DETAILED ACTION

Claim Objections

1. Claims 16 and 29 are objected to because of the following informalities:

In regard to claim 16, last line, it appears from the drawing that the seal is adjacent to the first interior surface, not the second interior surface.

In regard to claim 29, line 12, it is unclear as to which surface of the component that the counterbore surface is adjacent to.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-2, 6-7, 16 and 20-21 are rejected under 35 U.S.C. 102(e) as being anticipated by Schroeder et al.

In regard to claim 1, Schroeder et al. discloses (fig. 5) a coupling assembly comprising:

A component having a surface, the surface defining a port opening for a port which extends into the component,

wherein the port has first 32", second (wider portion of bevel 90"), and third diameters (narrower portion of bevel 90"), which are at respective positions from closer to the port opening to further inside the port, the first diameter being larger than the second diameter and the third diameter being smaller than the second diameter, and

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wherein the port widens at an angle between the third diameter and the second diameter, and the port widens at an angle between the second diameter and the first diameter, the angle being different than the angle;

a conduit 18'' having an annular bead 62'', wherein an end of the conduit can be slidably inserted into the port such that the end of the conduit extends beyond the position of the third diameter and at least a portion of the annular bead extends beyond the port opening; and

a seal 34'' extending around the conduit between the annular bead and the position of the third diameter.

In regard to claim 2, the angle 36'' is larger than the angle 32''.

In regard to claim 6, the port has a fourth diameter (diameter any where along bevel 64'') at a position between the first diameter and the port opening, wherein the fourth diameter is larger than the first diameter.

In regard to claim 7, the port has an annular surface (bevel 64'') defining a portion of the port having the fourth diameter.

In regard to claim 16, Schroeder et al. discloses a coupling assembly comprising:

A component face defining a port opening for a port that extends in an axial direction into the component,

a first interior surface 32'' defining a first portion of the port;

a second interior 36'' surface defining a second portion of the port;

a third interior surface 88'' defining a third portion of the port,

wherein the first interior surface extends between the port opening and the second interior

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surface at a first angle relative to the axial direction, and wherein the second interior surface extends between the first interior surface and the third interior surface at a second angle relative to the axial direction, the second angle being larger than the first angle;

a conduit 18" having an annular bead 30", wherein an end of the conduit can be slidably inserted into the port such that the end of the conduit is adjacent to said third interior surface and at least a portion of the annular bead extends beyond the port opening; and a seal extending around the conduit adjacent to said second interior surface.

In regard to claim 20, the third interior surface extends in a direction somewhat parallel to the axial direction.

In regard to claim 21, further comprising a fourth interior surface defining a fourth portion of the port (bevel of 64"), wherein the fourth interior surface extends between the first interior surface and the port opening in a direction somewhat parallel to the axial direction.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 3-5, 8-9, 17-19, 22-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Schroeder et al.

Schroeder et al. discloses a coupling as described above, but does not disclose the exact angles recited by the applicant. However, it would have been obvious to a person having

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ordinary skill in the art, at the time the invention was made to make the angles of Schroeder et al. the same as those recited by the applicant because a change in the shape of a prior art device is a design consideration within the skill of the art. In re Dailey, 357 F.2d 669, 149 USPQ 47 (CCPA 1966).

6. Claims 10-13 and 24-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Schroeder et al. in view of Nakajima et al.

Schroeder et al. discloses a coupling as described above, but does not disclose placing an additional, identical, smaller port adjacent to a first port. Nakajima et al. demonstrates that placing an additional, identical, smaller port adjacent to a first port is common and well known in the art. Therefore it would have been obvious to a person having ordinary skill in the art at the time the invention was made to add a smaller identical second port to the first port of Schroeder et al., because the practice of having two dissimilarly sized ports is common and well known in the art, as demonstrated by Nakajima et al.

Allowable Subject Matter

7. Claims 14-15 and 27-28 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

8. Claims 29-38 are allowed.

Conclusion

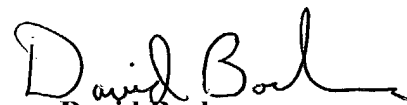
9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Iida et al., Haussmann, and Slais et al. all disclose similar couplings common in the art.

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10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to David Bochna whose telephone number is (703) 306-9040. The examiner can normally be reached on 8-5:30 Monday-Thursday and every other Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel P. Stodola can be reached on (703) 308-2686. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-2168.



David Bochna
Primary Examiner
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June 7, 2004